

REQUEST FOR PROPOSAL(S) (RFP)

February 11, 2015

**CONTRACT FOR
PROFESSIONAL SERVICES**

**WORKERS' COMPENSATION CLAIMS ADMINSTRATIVE
SERVICES**

Project No. 502461-102000

Issuing Office

**Mississippi Department of Transportation
P. O. Box 1850
Jackson, Mississippi 39215-1850**

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PART 1

GENERAL INFORMATION FOR CONSULTANTS

I. Purpose

This *Request for Proposal* (RFP) is intended to provide interested CONSULTANT(s) with sufficient information for the preparation and submission of a PROPOSAL for consideration by the Mississippi Transportation Commission (hereinafter referred to as the COMMISSION) to:

Provide the professional services and qualified personnel to assist with workers' compensation claims administration, managed care and network services.

II. Issuing Office

This RFP is issued by the Mississippi Department of Transportation (MDOT) on behalf of the COMMISSION. CONSULTANT(s) submitting PROPOSALS must comply with the instructions in this RFP, Legal Ad, and any addenda. The issuing office is identified below:

Scot Ehrgott, P.E.,
MDOT Director of Consultant Services
Mississippi Department of Transportation
P.O. Box 1850
Jackson, Mississippi 39215-1850
e-mail address: sehrgott@mdot.ms.gov

III. Intention of the COMMISSION

The intent of the COMMISSION is to execute a Contract for Professional Services with CONSULTANT(s) to provide the services specified herein.

IV. The Selection Process

Selection of a CONSULTANT will be based on the criteria established in the RFP and/or any addenda. CONSULTANT(s) **shall not** submit any cost or price information with their PROPOSALS. CONSULTANT(s) for this PROJECT should submit complete PROPOSALS sufficient for final selection of the most qualified firm. The COMMISSION will then select the most qualified firm based on the criteria. The COMMISSION reserves the right to select the CONSULTANT(s) for negotiations using one of the following methods:

- A. Final ranking of all proposals based on the initial response to this RFP, or
- B. Selection of a *Short List* of at least two (2) and not more than five (5) qualified CONSULTANT(s), if available. CONSULTANTs on the *Short List* will then be asked to make presentations to the appropriate MDOT staff. The *Short-listed*

CONSULTANTS will be notified by a written letter. The letter will also indicate all pertinent information necessary to prepare for the presentation. If this *Short List* method is used, final ranking will be made after the Selection Committee evaluates the *short-listed* firms.

The most qualified CONSULTANT will then enter into negotiations with the Selection Committee for costs and schedule. The COMMISSION will draft a Contract for the selected Consultant to execute based on the description of work in this RFP and/or any addenda. If the most qualified consultant does not execute the Contract or is unable to meet any contractual requirements, then MDOT may reject the most qualified firm for the duration of this process and select the next most qualified firm on the list until a contract has been executed.

V. Type of Contract

At the COMMISSION's option, the Contract shall be a **labor hour/unit cost and/or lump sum/firm fixed price to include a maximum "not to exceed" amount**. The contract will include all appropriate Federal contract provisions in accordance with 49 CFR, Part 18, as revised and any other requirements MDOT may deem necessary. The Contract will provide general terms and conditions for performance of services, as well as specific instructions for fees, billing, payment, and other related items.

Once the most qualified CONSULTANT is selected by the MDOT, costs will be negotiated at a later date between the most qualified CONSULTANT and MDOT for all necessary services provided to MDOT in support of this PROJECT. Direct Expenses may be reimbursable but will count towards the not to exceed cost negotiated as part of the contract.

An example of a typical MDOT professional service contract template may be found on the website indicated below. The template will be identified as "Workers' Compensation Contract Template."

<http://sp.gomdot.com/Consulting%20Services/Pages/Templates.aspx>

All written questions regarding this contract shall be e-mailed to the below addressees no later than **the date and time indicated in the section XX. Milestone Schedule**.

Scot Ehrgott, P.E.
sehgott@mdot.ms.gov
and copy (Cc)
Stephen Rone
srone@mdot.ms.gov

The contract template may be updated throughout the advertisement process. MDOT intends to post the final contract template for this PROJECT to the website indicated above no later than **the date indicated in the section XX. Milestone Schedule**. Contract terms after this date are non-negotiable; however, MDOT reserves the right to modify the contract terms at its discretion.

The **COMMISSION** intends to utilize this final contract template in order to execute a contract with the selected CONSULTANT.

NOTE: This RFP document does not and is not intended to include or address every item that will be included or addressed in the contract for professional services. The Contract template should be reviewed by the interested firm for these purposes.

VI. Rejection of PROPOSALS and/or discontinue contract execution

The **COMMISSION** reserves the right to reject any and all PROPOSALS and/or to discontinue contract execution or contract negotiations with any party at any time prior to final contract execution.

VII. Costs Incurred by CONSULTANT Prior to Execution of a Contract

The **COMMISSION** shall not be liable for any costs incurred by any CONSULTANT prior to the execution of a contract by all parties. Further, the **COMMISSION** shall not be liable for any costs incurred by the CONSULTANT under the Contract prior to the effective date of the MDOT Project Director's Notice to Proceed.

VIII. Addenda and/or questions to this RFP

Only written requests by e-mail to the below addressees will be considered.

Scot Ehrgott
sehgott@mdot.ms.gov
and copy (Cc)
Stephen Rone
srone@mdot.ms.gov

No requests for additional information or clarification to any other MDOT office, CONSULTANT, or employee will be considered. All responses to written questions and addenda will be in writing and will be posted to the MDOT website indicated below:

<http://mdot.ms.gov/portal/LegalAd.aspx>

CONSULTANTS shall be solely responsible for checking the website for updates. The MDOT will not be responsible for any oral exchange or any exchange of information that occurs outside the official process specified herein.

All written questions shall be e-mailed to the above addressees no later than **the date and time indicated in the section XX. Milestone Schedule.**

MDOT intends to post written answers for this RFP to the website indicated above no later than **the date indicated in the section XX. Milestone Schedule.**

IX. CONSULTANT Submission

To be considered, **five (5) copies and one CD (pdf format)** of the CONSULTANT's PROPOSAL must be received by **the date and time indicated in the section XX. Milestone Schedule**, in the Office of the Director of Consultant Services, Scot Ehrgott, Mail Code 90-01, Mississippi Department of Transportation Building, 401 North West Street, Jackson, Mississippi, 39201.

PROPOSALS received after this date and time may be deemed non-responsive.

X. PROPOSALS

To be considered, CONSULTANT(s) should submit a complete response to this *RFP*, addressing those requirements provided in Part 2 of this RFP. No other distribution of PROPOSALS should be made by the CONSULTANT.

PROPOSALS may be rejected if there are unauthorized additions, conditions, or irregularities of any kind which may tend to make the proposal incomplete, indefinite, or ambiguous as to its meaning.

XI. Economy of Preparation

PROPOSALS should be prepared simply and economically, providing a straightforward, concise description of the CONSULTANT'S ability to meet the requirements of the *RFP* and any *addenda*.

XII. Prime Consultant Responsibilities

The selected CONSULTANT (prime CONSULTANT) will be required to assume responsibility for all services offered in the PROPOSAL whether or not they are produced directly by the prime CONSULTANT or through subconsultant(s). Furthermore, the **COMMISSION** will consider the prime CONSULTANT to be the sole point of contact with regard to contractual matters, and the MDOT retains the right to approve or disapprove all proposed subconsultant(s).

The CONSULTANT must be registered with the Mississippi Secretary of State's office to do business in the State of Mississippi prior to Contract execution. Failure to comply with this requirement within 30 days of selection notification may result in failure to execute a Contract with the CONSULTANT. MDOT may then reject the selected CONSULTANT for the duration of this process and negotiate a contract with the next most qualified CONSULTANT on the list until a contract has been executed.

XIII. Disclosure of PROPOSAL Contents

All materials submitted in response to this *RFP* shall become the property of the **COMMISSION** and may be returned only at the **COMMISSION**'s option. All information submitted in response to this *RFP* shall be subject to disclosure under the Mississippi Public Records Act and any other applicable law.

The CONSULTANT should mark any and all pages of the PROPOSAL considered to be proprietary information which may remain confidential in accordance with Mississippi Code Annotated 25-61-9 and 79-23-1 (1972, as amended). Each page of the PROPOSAL that the CONSULTANT considers trade secrets or confidential commercial or financial information should be on a different color paper than non-confidential pages and be marked in the upper right hand corner with the word "CONFIDENTIAL." Failure to clearly identify trade secrets or confidential commercial or financial information will result in that information being released subject to a public records request.

XIV. Nondiscrimination Requirement

By submitting a response to this *RFP*, the CONSULTANT agrees that they understand that the **COMMISSION** is an equal opportunity employer. It is the policy of the **COMMISSION** to comply with all applicable portions of Title VI of the Civil Rights Act of 1964 which prohibits unlawful discrimination based on race, color, creed, sex, age, national origin, physical handicap, or disability. The proposed contract will require that the CONSULTANT and all subconsultant(s) agree to strictly adhere to this policy in all employment practices and provision of services.

In the event the CONSULTANT performs work for the **COMMISSION** that involves the selection of a site or location of a facility, the CONSULTANT shall utilize criteria or methods of selection which consider the impacts and benefits of the facility on persons without discrimination because of their race, color, religion, sex or national origin. The criteria and methods shall be designed to include proactive measures for obtaining citizen participation from persons of all applicable races, colors, religions, sexes and national origins.

XV. Disadvantaged Business Enterprise (DBE Goal)

The DBE goal for this PROJECT is **0%**. CONSULTANTS may visit MDOT's DBE website, <http://sp.mdot.ms.gov/Civil%20Rights/Pages/DBE.aspx>, to view a complete list of "Certified DBE Firms" which have been certified as such by the Mississippi Department of Transportation and other Unified Certification Partners (UCP).

XVI. Notification of Selected CONSULTANT(s)

The selected CONSULTANT(s) for both the "Short-List" (if necessary) and the final selection will be notified of their status by the **MDOT**. The CONSULTANT(s) whose PROPOSALS are not selected will be notified, in writing, of the name of the selected CONSULTANT(s) at the same time.

XVII. Debriefing request(s)

If a CONSULTANT opts to request a debriefing following the announcement of the selected CONSULTANT, the CONSULTANT shall send an e-mail to the below addressees within one (1) week of the distribution of the notification letter of the selected CONSULTANT(s). Any debriefings shall be limited to the merits of the individual CONSULTANT's PROPOSAL.

Scot Ehrgott, P.E.
sehgott@mdot.ms.gov
and copy (Cc)
Stephen Rone
srone@mdot.ms.gov

XVIII. Contract Administration

The CONSULTANT contract will be administered by the **MDOT**. All payments will be made to the contracted prime CONSULTANT by the **MDOT**. The prime CONSULTANT will be responsible for all payments to its partners and/or subconsultant(s).

XIX. Key Personnel Modifications

Key Personnel team members are to remain for the duration of the PROJECT and changes cannot be made without prior MDOT approval. Modifications of Key Personnel are discouraged. MDOT will not approve requests for modification without justification. Examples of justification include death of a team member, changes in employment status, bankruptcy, inability to perform, organizational conflict of interest, or other such significant cause. In order to secure MDOT's approval prior to execution of the contract, a written request shall be forwarded to:

Scot Ehrgott, P.E.
sehgott@mdot.ms.gov
and copy (Cc)
Stephen Rone
srone@mdot.ms.gov

The request shall include:

- A. The nature of the desired change;
- B. The reason for the desired change; and
- C. A statement of how the desired change will meet the required qualification for the position/responsibility.

XX. Milestone Schedule

The following schedule identified below lists the projected dates for the procurement, execution, and completion of this contract.

<u>Milestone Schedule</u> <i>(*represents approximate dates only)</i>	
Advertisement dates for legal notice	February 11 & 18, 2015
Deadline for CONSULTANT'S written questions	February 27, 2015, 5:00 p.m.
*Deadline for answering written questions	*March 4, 2015
*Deadline for posting the Final Contract Template	*March 4, 2015
Deadline for delivery of PROPOSALS	March 12, 2015, 5:00 p.m.
*Selection of qualified consultant	*April 10, 2015
*Contract Execution	July 1, 2015

Note: All times are Central Time.

MDOT intends to execute a 3 year contract with the selected Consultant with options for renewal.

PART 2

INFORMATION REQUIRED / SELECTION CRITERIA

I. Format for PROPOSAL

To be considered, the PROPOSAL must respond to all requirements of this RFP, the Legal Ad, and any addenda. The recommended PROPOSAL length should not exceed twenty-five (25) pages, exclusive of appendices. All resumes, certifications/licenses, and other information not relevant to these requirements should be included in the appendices. The following information should be included in the recommended twenty-five (25)-page maximum: the CONSULTANT's cover letter, table of contents, organizational chart, summaries and introductions, and responses to the evaluation criteria indicated in Part 2, Section III of this RFP. Pages should be numbered, single-spaced, one-sided, eight and one-half (8.5) by eleven (11) inches with margins of at least one (1) inch on all four (4) sides. No more than five (5) pages may be eleven (11) by seventeen (17) inches, but they may count as two (2) sheets each against the recommended twenty-five (25)-page maximum. Information within the recommended twenty-five (25)-page limit of the PROPOSAL must be complete and sufficient in scope for the selection committee to evaluate the CONSULTANT. Also, all text information in the twenty-five (25)-page limit should be shown in a readable font, size twelve (12) points or larger. Headers, charts, and other graphics may be provided in a different font type and size providing they are legible. Section dividers, tabs, or similar means are recommended but are not counted as part of the recommended twenty-five (25)-page maximum.

CONSULTANT(s) are encouraged to thoroughly address the requirements and other instructions of this RFP for the highest quality response. Those PROPOSAL(s) which exceed the recommended PROPOSAL length and/or fail to provide any of the information in the appropriate location indicated below may adversely affect the CONSULTANT's score.

The overall quality of the PROPOSAL submission will be evaluated. This will include, but will not be limited to, overall layout and readability of the submission, organization and comprehensiveness of the required content, conformance with formatting guidelines, and any other characteristics of the PROPOSAL that increase the quality of the document.

II. Requirements of the PROPOSAL

CONSULTANT(s) interested in providing these services may indicate so by furnishing the Department **five (5) copies and one (1) CD containing electronic PDF file(s)** of a PROPOSAL as indicated in this RFP. The CONSULTANT shall divide their PROPOSAL into the following sections as listed below, clearly separated by tabs, section dividers, or similar means; however, resumes, certifications/licenses, and other information not relevant to these requirements should be included in the appendices.

CONSULTANT(s) should address each of the following categories in their PROPOSAL in the same order as listed below. MDOT reserves the right to obtain references from any source listed in the PROPOSAL and any other source deemed appropriate for any of the information listed in this RFP. The quality of the PROPOSAL will be considered when evaluating the CONSULTANT's PROPOSAL. The PROPOSAL must provide at a minimum the following information:

A. Provide a Cover Letter

Provide a cover letter and introduction specifying the name and complete description of the PROJECT defined in the Legal Ad, the name of the prime CONSULTANT and any of its subconsultant(s), a brief description of the company, the name of an individual who will be the single point of contact throughout the selection process, and the location and address of the office of the firm which will be coordinating efforts for the PROJECT. The CONSULTANT should briefly describe the responsibilities of the CONSULTANT and any subconsultant(s) on the project. In addition, the CONSULTANT must note if this is a joint venture. It is understood that this PROPOSAL shall be good for at least 120 days from the submission due date unless an extension is agreed upon by both parties.

B. Identify the Project Manager and any other Key Personnel, and Provide Resumes and Organizational Chart

The CONSULTANT must propose the appropriate quantity and quality of staff to provide the appropriate services of this PROJECT. The CONSULTANT should identify all "Key Personnel". Key Personnel includes the Project Manager and any staff of the CONSULTANT or subconsultant(s) that the CONSULTANT considers necessary to successfully complete the PROJECT. The CONSULTANT should provide a team organizational chart that identifies all proposed personnel of the CONSULTANT and any subconsultant(s) for this contract. The team organizational chart should include each individual's name, job description (for this contract), and company of employment. The CONSULTANT should provide resumes for any Key Individuals and other employee(s) of the team anticipated to be assigned to the PROJECT as referenced in the organizational chart. Resumes should reflect qualifications and recent experience relevant to the Project Description indicated in this RFP.

It is preferred that the CONSULTANT's Project Manager be on the permanent staff of the CONSULTANT and should have a minimum of seven (7) years of project management experience related to the services requested in this RFP. The CONSULTANT's Project Manager should be provided for overall PROJECT oversight. Activities of the Project Manager will include but will not be limited to the following:

- Establishing and administering controls to ensure the quality of deliverables.

- Developing (with MDOT) and maintaining a detailed PROJECT Work Plan and schedule.
- Monitoring PROJECT day to day activities.
- Providing status reports to MDOT as requested.

C. List the CONSULTANT's (and any subconsultant's) in-house capabilities and available staff

The CONSULTANT should indicate the following in its PROPOSAL:

1. The CONSULTANT should describe in its PROPOSAL the firm's size and organizational structure and provide its base of operations for this project. This information should also include the number of employees and average annual revenue over the last three years of the firm and any subconsultant's firm.
2. The CONSULTANT should indicate a general description of any available staff of their firm and any subconsultant firm that will be available to perform the services required in this contract.
3. The CONSULTANT should list any resources (equipment, software, etc...) that may be deemed advantageous to performing the services outlined in this RFP. The CONSULTANT should describe how these additional resources will be beneficial to the COMMISSION while performing these services.
4. The CONSULTANT should provide in its PROPOSAL corporate information that includes the parent corporation and any subsidiaries.
5. The CONSULTANT should describe how their in-house capabilities will lead to quality service in order to achieve the work described in Part III of this RFP.

D. List the CONSULTANT's and subconsultant's previous experience on similar projects with MDOT, public self-Insured agencies, and/or public subdivisions.

The CONSULTANT should furnish information in its PROPOSAL to substantiate the stated experience and practices of its company for the management of workers' compensation claims administration. The CONSULTANT should describe its previous experience on similar projects with MDOT, public self-insured agencies, and/or other public subdivisions. Each project description should include a general description of the project, contract amount of the project, the project time frame, a project client contact name, contact title, contact phone number, contact fax number, and contact email address.

E. Approach/methodology to meeting the services listed in the RFP.

The CONSULTANT should provide an Approach /Methodology to accomplish the services outlined in this RFP. The Approach / Methodology submitted with the PROPOSAL should identify all Tasks listed in Part 3, any activities, and a description of the assigned resources for the PROJECT. Each CONSULTANT should use the task numbers identified in Part 3. This Approach / Methodology should indicate how the CONSULTANT will respond to each task in a timely manner without sacrificing quality of work. The methodology should also include the CONSULTANT's resources and any software that may be required. In addition, the CONSULTANT should also list any mobilization activities that may be necessary to initiate (start-up) any of the services listed in Part III.

III. CONSULTANT selection criteria

All PROPOSALS received from CONSULTANT(s) will be reviewed and evaluated by the Selection Committee based on the selection evaluation criteria listed below. All responsive PROPOSALS will be reviewed and ranked.

The following areas of consideration, in order of their relative importance to the Selection Committee, will be used in making the selection:

- A. Past performance of the CONSULTANT (and any subconsultant) on similar projects with MDOT, public self-Insured agencies, and/or public subdivisions;
- B. Approach/methodology to accomplishing the services listed in the RFP;
- C. The CONSULTANT's (and any subconsultant's) in-house capabilities and available staff;
- D. Quality of Proposal;
- E. Experience, performance, and qualifications of the proposed Project Manager; and
- F. Location/proximity of the CONSULTANT's (and any subconsultant's) office(s).

PART 3

GENERAL DESCRIPTION OF THE WORK

TASKS

The tasks below are not exhaustive, but are intended for the purpose of consistency in evaluation of all proposals. Additional services related to each Task which will assist with workers' compensation claims administration, managed care and network services may be incorporated in the contract.

Task 1- Bill Review

Bill review services to include administration of all bill review activities from intake to payment on all workers' compensation bills (med-only and indemnity), including determination of compensability, application of the Workers' Compensation Fee Schedule, line-item bill review, application of provider networks, and any other related services deemed necessary by MDOT.

Task 2- Claims Intake and Reporting/ Claims System Access

Provide access to an online system for intake of injury reports and adjuster functions on lost time claims. Such system should hold all injury data such that reports can be run using the data in the various fields on form B3.

Task 3- Claims Administration for Medical-Only (Non Indemnity) Claims

Administration of all non-indemnity workers' compensation claims, including intake, adjuster services, file maintenance, and any other necessary services for medical-only.

Task 4- Management on claims for which the indemnity has been paid

On those claims for which the indemnity has been paid out, including 13-J settlements, consultant would reassume maintenance of the files.

Task 5- Medicare Agent Services/ Set Asides

This task will include maintenance of an EDI (electronic data interface) capable of meeting the federal reporting requirements (initial as well as quarterly) to the Center for Medicaid and Medicare Services as well as verification and monitoring of all workers' compensation claimants' eligibility. This task will also include the preparation of Medicare set aside analyses, the submission of set asides to CMS for approval, and any other reporting required or requested by MDOT.

Task 6- Check Writing

Check writing for all medical payments, indemnity payments, and any other payments required by MDOT for workers' compensation.

Task 7- Pharmacy Program

Administration of a pharmacy program, facilitating first fills, issuing and maintaining "permanent" pharmacy cards to claimants, pharmacy network services, and reporting.

Task 8- Utilization Review

Outpatient precertifications from intake to completion, inpatient precertifications, second-level review, peer review, and appeals.

Task 9- Case Management

Nurse Case Management, including full case management, telephonic case management, and task assignments.

Task 10- Other Services

This task will include other necessary services not part of any task above, including risk management services, miscellaneous audit and reporting functions, managed care and network services not described above, minor clerical services not associated directly with any of the above tasks, and other services necessary for Consultant to assist with the administration of workers' compensation claims.